

REMARKS

The applicant has substantially amended the claims of this application to more accurately focus upon the particular style of tags for bags as developed and claimed therein. Essentially, this tag includes a bottom portion, and has an integral neck extending upwardly therefrom, the neck is substantially narrower than the tag bottom, and it extends upwardly approximately centrally from the bottom portion of the tag. This alone, is quite distinct from anything shown or described in prior art.

Then, claims 2, 3 and 4 describe the type of materials from which the various tag components are formed. Note that the prior art shows the use of related materials in labels and tags, but they are just not applied in the manner done by applicant, nor are they for a separable type of tag, where the integral neck portion of the tag can be separated, along a line of perforation, or along a cut line, from the next tag, in the manner as described and claimed for this current application. Then, the entire neck portion of the tag can be clipped onto the upper closure end of a bag, as can be seen in Fig. 5 for the current drawings, and the tag thereabove can be pulled free, from the continuous role of such tags, as can be seen in Fig. 3 and 4. No doubt, the prior art shows labels, that can be peeled off, but other than that, this is just not the specific subject of the claimed separable tags for this current application.

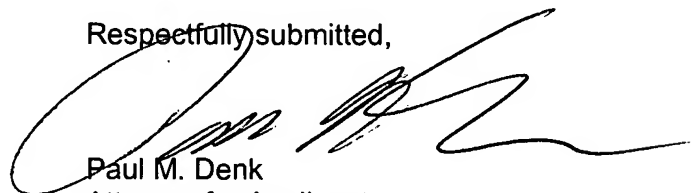
The patent to Whipp does not show the style of the tag, within integral neck, as particularly formed, as described in claims 1 and 14 of this application. Whipp simply shows tags, which do not integrally connect together by any type of neck, as can be seen in Fig. 4, and furthermore, the outer margins or side regions 10, of Whipp, just do not provide a tag constructed in the manner as claimed for this application, nor can the side regions 10 of Whipp function in the same manner as applicant's invention. Hence, it is submitted that anticipation certainly is not present, as the examiner states in her rejection of claims 1-3, and 5-10. Furthermore, Whipp just does not suggest towards applicant's invention, as the examiner states in claims 4, 11, 12, and 13. As the examiner knows, obviousness cannot be established by combining teaches of the prior art to produce the claimed invention, absence of teaching, suggestions, or incentive supporting that combination. See the case of *In re Geiger*, 815 Fed. 2nd 686 (Fed. Cert. a 1987).

The examiner also cites the Kinny reference for showing cut lines between labels. But, the cut line of Kinny is directed through the label, but the label, itself, is just not fabricated in the manner of applicant's invention, as claimed. Furthermore, the cut line in Kinny appears to be more affiliated with its underlining cage or liner 12, and not the label itself. Applicant's, on the other hand, has a cut line provided directly through not only his liner, but also provides a perforated line in the vicinity of the line perforation 8, provided through each of the neck portion 3, as explained in the specification, and is set forth in the claims.

Finally, the examiner states that claim 13 is rejected over Whipp, in view of Heuser. Whipp has already been reviewed. But, Heuser also does not show any type of a tag, that incorporates a separable feature, where the tag itself is separable from another tag, because the tags of this invention are all connected together in their formation, and each tag is formed of a bottom portion, with an integral neck, and the neck portion being substantially narrower than the bottom portion, and extending centrally and integrally upwardly therefrom. This is just not show in Heuser, and even if Heuser should be used to modify Whipp, the particular style of tag, with a bottom portion, and narrow neck, is shown in none of such prior art.

The examiner's further review of the claims, as amended, of this application would be appreciated.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Paul M. Denk', is written over the typed name and address.

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